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SOFER & HAROUN, L.L.P.  
PATENT FILING TRANSMITTAL

ATTORNEY DOCKET NO:601-17c1

J1040 U.S. PTO  
09/982554  
10/18/01

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Box Patent Application  
Commissioner of Patents and Trademarks  
Washington, D.C. 20231

### PATENT FILING TRANSMITTAL

Transmitted herewith for filing is the Patent Application of: **Mathias Christian Zohoungbogbo**  
**Rosa Anna Gobbato**

For: **DIETETIC FOOD COMPOSITION AND DIETETIC METHOD USING SUCH COMPOSITION**

### TYPE OF FILING

This new patent application is for a(n):

- ☐ Utility
- ☐ Design
- ☐ Plant
- ☐ Divisional
- ☒ Continuation
- ☐ Continuation-in-part

### Benefit of a prior filed application

- ☒ This is a continuation application of copending continuation -in-part application Serial No. 09/333,097 filed on June 15, 1999 which claims the priority of parent application Serial No. 09/225,819 filed on January 5, 1999 claims the benefit of an earlier filed U.S. Patent Application under 35 USC 120.
- ☒ Please accord Applicant the benefit of the priority date of June 16, 1998 to this case pursuant to 35 USC 119. Applicant's claim for priority is based on European Patent Application No. 98830365.7 filed on June 16, 1998 at the Italian Patent Office and European Patent Application No. 99201794.7 filed on June 4, 1999 at the European Patent Office of the Hague.

### Filing under 37 CFR 1.53 (Utility) or 37 CFR 1.153 (Design)

- ☐ This is an application filed pursuant to 37 CFR 1.53 or 37 CFR 1.153, permitting receipt of a filing date upon filing of a specification, at least one claim and necessary drawings.
- ☒ In the event any parts of this application are incomplete, please treat this as a filing under 37 CFR 1.53 or 37 CFR 1.153.

### ENCLOSURES

### CERTIFICATE OF MAILING (37 CFR 1.10(a))

CERTIFICATE OF MAILING BY "EXPRESS MAIL" - Rule 10: I hereby certify that this correspondence is being deposited with the U. S. Postal Service "Express Mail Post Office to Addressee" Service under 37 CFR 1.10 as Express Mail No. \_\_\_\_\_ addressed to the Commissioner of Patents & Trademarks, Washington, D.C. 20231 on \_\_\_\_\_ by \_\_\_\_\_.

Date: \_\_\_\_\_

Signed: \_\_\_\_\_

JC682 U.S. PTO  
10/18/01

09982554-101801

Minimum requirements under 37 CFR 1.53(b) (Utility) or 37 CFR 1.153 (Design)

- ☒ 26 pages of specification;  
☒ 10 pages of claims;  
☒ 1 pages of abstract;  
☐      sheets of informal drawings;  
☐ A Declaration, Power of Attorney & Petition or listing of inventors;  
and  
☒ A postcard for return to us as proof of receipt of the above documents.

plus

- ☒ An Assignment of the invention to      and an Assignment cover sheet;  
☒ Verified Statement Claiming Small Entity Status (37 CFR 1.9(f) and 1.27(b))  
☐ Form PTO-1449 (IDS) and copies of the European Search Report and references listed thereon;  
☐ A certified copy of                      (country) patent application number (priority document).  
☐ A preliminary amendment;  
☐ Declaration of Biological Deposit;  
☐ Submission of sequence listing, computer readable copy and/or amendment relating thereto for biotechnology invention containing nucleotide and/or amino acid sequence;  
☐ An associate power of attorney;  
☐ Other.

**DECLARATION OR OATH**

The enclosed Declaration or Oath has been executed by:

- ☐ Inventor(s);  
☐ Legal representative of the inventors (37 CFR 1.42 or 1.43);  
☐ Joint inventor or person showing proprietary interest on behalf of an inventor who refused to sign or who cannot be reached and this is a petition required by 37 CFR 1.47 and the statement required by 37 CFR 1.47 is attached;  
☐ Has not been executed and is enclosed for the purposes of identifying the inventors.

**INVENTORSHIP STATEMENT**

The inventorship for all the claims in this application is:

- ☒ the same;  
☐ not the same and, as an explanation, a statement is/ will be submitted.

**LANGUAGE**

The application submitted herewith is:

- ☒ in English;  
☐ in not in English and in terms of 37 CFR 1.52(d) a verified translation is  
☐ attached  
☐ not attached.

1528660-103707

### FEE CALCULATION

The filing fee has been calculated as shown below:

	SMALL ENTITY		OR	OTHER THAN A SMALL ENTITY	
BASIC FEE Design Patent		\$155			\$310
BASIC FEE Utility Patent		\$380			\$760
EXTRA FEES	RATE	FEE		RATE	FEE
TOTAL CLAIMS 25 MINUS 20 = 5	x 9 = \$			x 22 = \$	
INDEP.CLAIMS 2 MINUS 3 = 0	x 40 = \$			x 80 = \$	
<input type="checkbox"/> MULTIPLE DEP.CLAIM	+ 130 = \$			+ 260 = \$	
<input type="checkbox"/> ASSIGNMENT	+ 40 = \$			+ 40 = \$	
<input type="checkbox"/> RULE 53 SURCHARGE	+ 65 = \$			+ 130 = \$	
TOTAL	\$ 00			\$ 0	

### FEE PAYMENT

- ☒ No Fee is Enclosed at this time.
- ☐ Attached is Check No. \_\_\_\_ in the sum of \$\_\_\_\_ to cover the filing and, if applicable, the assignment fee.
- ☐ Please charge Account No.19-2825 the sum of \$\_\_\_\_\_.

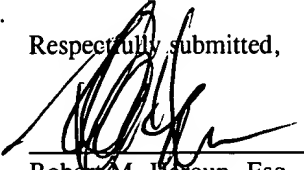
### FEE DEFICIENCY

- ☐ The Commissioner is authorized to charge (or credit any overpayment) to deposit account No.19-2825:
- ☐ Any additional filing fees required under 37 CFR 1.16, except Rule 53 filings, which will be paid within the time permitted by PTOL 1533.
- ☐ Assignment Recordal fees.
- ☐ The filing fee and surcharge under 37 CFR 1.16, patent application processing fees under 37 CFR 1.17 and patent issue fees under 37 CFR 1.18 are intended to be paid by our firm as they arise. As no abandonment is intended by any inadvertent nonpayment of fees, the Commissioner is hereby authorized to charge payment of such fees as from time to time come due, if not paid prior to due date to our Deposit Account No. 19-2825 .
- ☐ A duplicate copy of this sheet is enclosed.

Dated: 10/18/01

SOFER & HAROUN, L.L.P.

Respectfully submitted,

  
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PATENT

Docket No. 601-017c1

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant(s) : Zohoungbogbo et al`                      Group Art Unit: Not yet assigned  
Serial No. : Not yet assigned                      Examiner: Not yet assigned  
Filed : October 18, 2001  
For : DIETETIC FOOD COMPOSITION AND DIETETIC METHOD USING SUCH  
COMPOSITION

**EXPRESS MAIL CERTIFICATE**

Express Mail Label No. EL793400594US

Date of Deposit October 18, 2001

I hereby certify that the following attached paper(s) or fee

- 1) Continuation Patent Application (36 sheets)
- 2) Patent Transmittal
- 3) Return Postcard
- 4) Express Mail Certificate


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C.F.R. §1.10 on the date indicated above and is addressed to the Commissioner of Patents and Trademarks,

Washington, D.C. 20231.

Ester Aronova

(Typed or printed name of person  
mailing paper(s) or fee)



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